

STREET VACATION

12/1/75

W. 65th St. from Rolf Ave. to
Tingdale Ave.

COUNTY OF HENNEPIN

FOURTH JUDICIAL DISTRICT

In the Matter of the Petition of

HOWARD L. KNOUS AND BETTY J. KNOUS,
Husband and Wife,ORDER
File No. A-18360For an Order Adding Land in Vacated
Street.

The above-entitled matter came on for hearing on the 22nd day of January, 1976, at Room A702 of the Hennepin County Government Center in the City of Minneapolis said County and State, before the Referee to whom said matter has been duly referred, to hear the evidence in said cause and report his conclusions therefrom, pursuant to M.S.A. Section 508.13; and it appearing to the Court from the final report of said Referee that all of the requirements of the law in respect to the Petition herein have been duly and strictly complied with, and that said Referee has filed his report herein, the Court, being now duly advised in the premises, finds as follows:

1. That on the 19th day of December, 1975, the Registrar of Titles entered Certificate of Title No. 525489 to Howard L. Knous and Betty J. Knous, husband and wife as joint tenants, for Lots 1 and 2, and the East Half of Lots 23 and 24, Block 18, "Normandale Second Addition".
2. That there is shown upon said Certificate of Title a memorial of Document No. 1162610 which is a certificate of a resolution passed on December 1, 1975 by the City Council of the City of Edina vacating that part of 65th St. hereinafter described.
3. That by reason of said vacation there should be added to the land description of said Certificate of Title that portion of the vacated street hereinafter described.
4. That there are no persons or parties to whom notice of this proceeding need be given.

NOW, THEREFORE, IT IS HEREBY ORDERED, as follows:

That the Registrar of Titles show by memorial upon Certificate of Title No. 525489 that there is added to the land description the following land:

That part of vacated 65th St. in Normandale Second Addition described as beginning at the Northeast corner of Lot 1, Block 18, Normandale Second Addition; thence West along the North line of said Lot 1, a distance of 130 feet; thence North, parallel with the Northerly extension of the East line of said Lot 1 a distance of 15 feet; thence East, parallel with the North line of said Lot 1, a distance of 130 feet; thence South 15 feet to the point of beginning.

That in future Certificates of Title issued for the premises described in Certificate of Title No. 525489 the Registrar of Titles place said added land description in the body of the Certificate along with the description of the premises described in said Certificate of Title and that he omit from said future Certificates of Title the memorials of Document No. 1162610 and of this Order.

Dated: January 27, 1976

JUDGE

FEE PAID

JAN 27 1976

W. A. JOHNSON, Reg. of Titles

By _____
DEPUTY

STATE OF MINNESOTA, COUNTY OF HENNEPIN
Certified to be a true and correct copy of the
original on file and of record in my office.

JAN 27 1976

Clerk of District Court

By _____

Deputy

CLERK OF DIST. CT., HENN. CO.

Deputy

FILED

JAN 27 1976

1181

12/8/75

Sent to Utility
Company -

5/7/76 Called

Larker et al for
copy

Larkin Hoffman et al
1500 N. W. Financial Center
7900 Xerxes Ave. S.
Bloomington, MN 55431

Attention: Sherry

Gentlemen:

Enclosed herewith are four copies of the Resolution Vacating a Portion of West 65th Street which was approved by the Edina City Council on December 1, 1975, along with Notice of Completion of Proceedings for this vacation.

After you have filed the vacation, will you please return one copy of the resolution to me, with the recording information?

Please do not hesitate to call if you have any questions.

Yours very truly,

City Clerk

enclosures

December 8, 1975

cc: Mr. Thomas S. Erickson

5/17/76 Sherry says this was filed
as # 1162610 - She does not have
date or copy of document
JH

NOTICE OF COMPLETION OF PROCEEDINGS

ON STREET VACATION IN THE CITY OF EDINA,
HENNEPIN COUNTY, MINNESOTA

NOTICE IS HEREBY GIVEN that the City Council of Edina, Hennepin County, Minnesota, on December 1, 1975, adopted a Resolution Vacating a Portion of West 65th Street after public hearing and notice thereof as required by law and after determining it to be in the best interest of the City and of the public that said street vacation be made, which resolution ordered the vacation of the following described street, all as platted and of record in the office of the Register of Deeds in and for Hennepin County, Minnesota:

That part of West 65th Street in Normandale Second Addition, according to the recorded plat thereof, described as follows: Commencing at the Northeast corner of Lot 1, Block 18, Normandale Second Addition; thence West along the North line of said Lot 1, a distance of 130 feet; thence North, parallel with the East line of said Lot 1 and its Northerly extension, a distance of 15 feet; thence East, parallel with the North line of said Lot 1, a distance of 130 feet; thence South 15 feet to the point of beginning.

The time of completion of proceedings and the effective date of said vacation is December 1, 1975.

Said vacation did not involve any easements.

DATED this 8th day of December, 1975.

BY ORDER OF THE CITY COUNCIL,
CITY OF EDINA

Florence B. Hallberg
City Clerk, City of Edina

RESOLUTION VACATING A PORTION OF
WEST 65TH STREET

WHEREAS, a resolution of the City Council, adopted the 3rd day of November, 1975, fixed a date for a public hearing on a proposed vacation of West 65th Street lying between the West side of Rolf Avenue and the West side of Tingdale Avenue; and

WHEREAS, two weeks' published and posted notice of said hearing was given and the hearing was held on the first day of December, 1975, at which time all persons desiring to be heard were given an opportunity to be heard thereon; and

WHEREAS, the Council deems it to be in the best interest of the City and of the public that a portion of said street vacation be made; and

WHEREAS, the Council has considered the extent to which the vacation affects existing easements within the area of the vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacation, to continue maintaining the same, or to enter upon such street or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto;

NOW, THEREFORE, BE IT RESOLVED by the City Council of the City of Edina, Hennepin County, Minnesota, that the following described portion of West 65th Street be and is hereby vacated effective this date, December 1, 1975:

That part of West 65th Street in Normandale Second Addition, according to the recorded plat thereof, described as follows: Commencing at the Northeast corner of Lot 1, Block 18, Normandale Second Addition; thence West along the North line of said Lot 1, a distance of 130 feet; thence North, parallel with the East line of said Lot 1 and its Northerly extension, a distance of 15 feet; thence East, parallel with the North line of said Lot 1, a distance of 130 feet; thence South 15 feet to the point of beginning; and

that the Clerk is authorized and directed to cause a notice of completion of proceedings to be prepared, entered in the transfer record of the County Auditor, and filed with the Register of Deeds, in accordance with Minnesota Statutes, Section 412.851.

ADOPTED this 1st day of December, 1975.

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) SS
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina, do hereby certify that the attached and foregoing resolution was duly adopted by the Edina City Council at its Regular Meeting of December 1, 1975, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this 8th day of December, 1975.

City Clerk

(Official Publication)
CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424
NOTICE OF PUBLIC HEARING
OF STREET VACATION
IN THE CITY OF EDINA
HENNEPIN COUNTY, MINNESOTA
WEST 65TH STREET BETWEEN
WEST SIDE OF ROLF AVENUE
AND WEST SIDE OF TINGDALE
AVENUE

NOTICE IS HEREBY GIVEN that the City Council of the City of Edina, Hennepin County, Minnesota, will meet at the Edina City Hall, 4801 W. 50th Street, on December 1, 1975, at 7:00 o'clock p.m., for the purpose of holding a public hearing on the proposed vacation of the following described street:

West 65th Street lying between the West side of Rolf Avenue and the West side of Tingdale Avenue

All persons who desire to be heard with respect to the question of whether or not the above street vacation is in the public interest and should be made shall be heard at said time and place. The Council shall consider the extent to which such proposed vacation affects existing easements within the area of the proposed vacation and the extent to which the vacation affects the authority of any person, corporation, or municipality owning or controlling electric or telephone poles and lines, gas and sewer lines, or water pipes, mains, and hydrants on or under the area of the proposed vacations, to continue maintaining the same or to enter upon such street or alley or portion thereof vacated to maintain, repair, replace, remove, or otherwise attend thereto, for the purpose of specifying, in any such vacation resolution, the extent to which any or all of any such easements, and such authority to maintain, and to enter upon the area of the proposed vacation, shall continue.

BY ORDER OF THE EDINA CITY COUNCIL.

FLORENCE B. HALLBERG,
City Clerk

(Nov. 12, 1975)—ED



SUN NEWSPAPERS
AFFIDAVIT OF PUBLICATION
EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota }
County of Hennepin } ss.

J. R. RITCHAY, being duly sworn, on oath says he is and during all times here stated has been the vice president and printer of the newspaper known as The Edina Sun and has full knowledge of the facts herein stated as follows: (1) Said newspaper has 50% of its news columns devoted to news of local interest to the community which it purports to serve and does not wholly duplicate any other publication and is not made up entirely of patents, plate matter and advertisements, (4) Said newspaper is circulated in and near the municipality which it purports to serve, has at least 500 copies regularly delivered to paying subscribers, has an average of at least 75% of its total circulation currently paid or no more than three months in arrears and has entry as second-class matter in its local post-office. (5) Said newspaper purports to serve the City of Edina in the County of Hennepin and it has its known office of issue in the City of Bloomington in said county, established and open during its regular business hours for the gathering of news, sale of advertisements and sale of subscriptions and maintained by the managing officer or persons in its employ and subject to his direction and control during all such regular business hours and devoted exclusively during such regular business hours to the business of the newspaper and business related thereto. (6) Said newspaper files a copy of each issue immediately with the State Historical Society. (7) Said newspaper has complied with all the foregoing conditions for at least two years preceding the day or dates of publication mentioned below. (8) Said newspaper has filed with the Secretary of State of Minnesota prior to January 1, 1966 and each January 1 thereafter an affidavit in the form prescribed by the Secretary of State and signed by the publisher of said newspaper and sworn to before a notary public stating that the newspaper is a legal newspaper.

Street Vacation

Notice of Public Hearing

He further states on oath that the printed hereto attached as a part hereof was cut from the columns of said newspaper, and was printed

and published therein in the English language, once each week, for one successive weeks;

that it was first so published on Wed the 12 day of November, 19 75

and was thereafter printed and published on every _____ to and including

the _____ day of _____, 19 _____ and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

abcdefghijklmnopqrstuvwxyz
abcdefghijklmnopqrstuvwxyz

Subscribed and sworn to before me this 14 day of November, 19 75

(Notarial Seal)



Muriel L. Quist
Muriel L. Quist, Notary Public, Hennepin County, Minn.
My Commission Expires July 28th, 1978

(Official Publication)
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4801 W. 50TH STREET
EDINA, MINNESOTA 55424
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OF STREET VACATION
IN THE CITY OF EDINA
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BY ORDER OF THE EDINA CITY COUNCIL.

FLORENCE B. HALLBERG,
City Clerk
(Nov. 12, 1975)—ED



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AFFIDAVIT OF PUBLICATION
EDINA SUN

6601 W. 78th St.

Bloomington, Minnesota

State of Minnesota }
County of Hennepin } ss.

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Street Vacation

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and published therein in the English language, once each week, for ~~one~~ successive weeks;

that it was first so published on Wed the 12 day of November, 1975

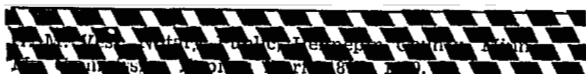
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the _____ day of _____, 19____ and that the following is a printed copy of the lower case alphabet from A to Z, both inclusive, and is hereby acknowledged as being the size and kind of type used in the composition and publication of said notice, to-wit:

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My Commission Expires July 28th, 1978

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BY ORDER OF THE EDINA CITY COUNCIL.

FLORENCE B. HALLBERG,
City Clerk
(Nov. 12, 1975)—ED

***** PETITION *****

NOVEMBER 28, 1975

WE, THE UNDERSIGNED, HEREBY RESPECTFULLY MAKE NOTICE TO THE COUNCIL, OF THE CITY OF EDINA, THAT AS CONCERNED PARENTS AND CITIZENS, EXPRESS OUR DISAPPROVAL OF THE COUNCILS INTENT TO VACATE THE PROPERTY KNOWN AS "PARK ACCESS - WEST 65th STREET BETWEEN WEST SIDE OF ROLF AVENUE AND THE WEST SIDE OF TINGDALE AVENUE." WE DESIRE, AS A MAJORITY OF THOSE CONCERNED, THAT THIS COUNCIL CONTINUE TO AUTHORIZE THE PUBLIC ACCESS AND MAINTAIN SAID PROPERTY, AS IN THE PAST, IN THE PUBLIC INTEREST. IT IS VITAL FOR OUR CHILDREN TO GAIN ACCESS TO NORMANDALE PARK, WITHOUT JEAPORDIZING THEIR WELL - BEING BY USING HEAVILY TRAVELED 66th STREET. FURTHERMORE, THIS ACCESS IS IN HARMONY WITH THIS COUNCILS POLICY, TO PROVIDE ITS CITIZENS, A PARK AND RECREATION SYSTEM EASILY ACCESSABLE AND WELL MAINTAINED. LAST, BUT NOT LEAST, WE DO NOT WISH TO EXPERIENCE THE DEPRECIATING EFFECT TO OUR PROPERTY, BY THE LOSS OF THIS VALUED AND WELL USED ACCESS.

Mr & Mrs. Harold T. Hennipson

Mr. and Mrs. Richard Piller

Mr & Mrs. J.T. Letherford

Mr & Mrs. J.K. Cole

Mr & Mrs. Richard Dick

Mr & Mrs. Leo J. Thompson

Mr. & Mrs. Reuben Taggart

Mr & Mrs. Harry D. Domm

Mr. & Mrs. Edna J. Melusian

Mr & Mrs. Jack Patton

Mr & Mrs. Arthur J. Coddington

Mr & Mrs. Leland Angelus

Mr & Mrs. Jack Reichert

Mr & Mrs. C. W. Parker

Mr. & Mrs. Dean Danielson

Mrs & Mrs. John Popko
Mrs Shirley A. Dickey
Mr & Mrs David Matthews

PETITION TO VACATE STREET

TO THE HONORABLE COUNCIL OF THE CITY OF EDINA

DATED 10.23-75

The undersigned represent that they are the majority of owners of real property abutting on the line of W. 65th street from TINGDALE AVE to ROCK, and petition that said portion of said street be vacated. The facts and reasons for this application are as follows:

In consideration of vacating the street as herein petitioned the undersigned hereby jointly and severally waive any and all claims for any damages resulting from the vacating and discontinuing of said street.

SIGNATURE OF OWNERS

ADDRESS

DESCRIPTION OF PROPERTY

L. K. Grogan

6500 TIMBDALE AVE

Mr. Dringest //

6440 TINGHALE AVE.

Raymond C. Love

644³ (Self Ave

Edward H. Lofgren

X 3133 Nicollet Ave.

Grace A. Dove

3133 Nicolet Ave.

This petition was circulated by

H. K. Davis

CITY OF EDINA
4801 W. 50TH STREET
EDINA, MINNESOTA 55424

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HENNEPIN COUNTY, MINNESOTA

WEST 65th STREET BETWEEN
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and the West side of Tingdale Avenue

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BY ORDER OF THE EDINA CITY COUNCIL

Florence B. Hallberg
City Clerk

November 14, 1975

CITY OF EDINA
4801 W. 50TH STREET
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BY ORDER OF THE EDINA CITY COUNCIL.

Florence B. Hallberg
City Clerk

November 14, 1975

2) Review

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional
Conditions _____

MINNEGASCO by _____ ☐ Acceptable ☐ Opposed ☐ Conditional
Conditions _____

N.W. BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional
Conditions _____

N.S.P. by Raf Staffens ☒ Acceptable ☐ Opposed ☐ Conditional
Conditions _____

PLEASE SIGN AND RETURN TO INDICATE RECEIPT OF NOTICE

2 Review

CITY ENGINEER by _____ ☐ Acceptable ☐ Opposed ☐ Conditional
Conditions _____

MINNEGASCO by W. B. Johnson 11-17-75 ☒ Acceptable ☐ Opposed ☐ Conditional
Conditions _____

N.W. BELL by _____ ☐ Acceptable ☐ Opposed ☐ Conditional
Conditions _____

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Florence B. Hallberg
City Clerk

November 14, 1975